

**SUPERIOR COURT OF NJ
FILED**

OCT 8 2003

**DONALD E. PHELAN
CLERK**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ483-03-12(1)

Superior Court
Docket Number **08-10-00180-S**

STATE OF NEW JERSEY)

v.)

INDICTMENT

MICHAEL JOHNSON)

The Grand Jurors of and for the State of New Jersey, upon
their oaths, present that:

COUNT ONE

(Official Misconduct - Second Degree)

MICHAEL JOHNSON

between in or about January 2002 and April 2002, at the City of
Trenton, in the County of Mercer, elsewhere, and within the
jurisdiction of this Court, did commit the offense of official
misconduct, in that the said MICHAEL JOHNSON, acting with the
purpose to obtain a benefit for himself or another in excess of
\$200 or to injure or to deprive another of a benefit, did commit
acts relating to his office, but constituting unauthorized
exercises of his official functions, knowing that such acts were
unauthorized or that he was committing them in an unauthorized
manner and the said MICHAEL JOHNSON, then and there being a public
servant, to wit: an employee of the New Jersey Division of
Taxation, having thereby the official functions and duties, among
others, to handle and/or process checks delivered to the New Jersey
Division of Taxation, to perform his duties in a legal and proper
manner, to display good faith, honesty and integrity, and/or to be

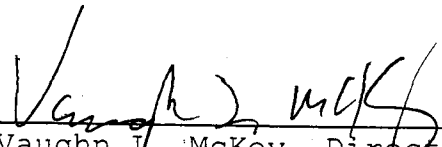
impervious to corrupting influences, did knowingly take or exercise unlawful control over moveable property to which he was not entitled and having a value in excess of \$200 from the New Jersey Division of Taxation for his personal gain, with the purpose to secure a benefit to himself in excess of \$200, contrary to the provisions of N.J.S.A. 2C:30-2, and against the peace of this State, the government and dignity of same.

COUNT TWO

(Theft By Unlawful Taking - Second Degree)

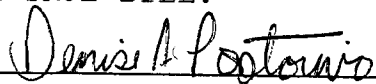
MICHAEL JOHNSON

between in or about January 2002 and April 2002, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the movable property of the New Jersey Division of Taxation that is, checks having an aggregate value of \$75,000 or more, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of same.



Vaughn L. McKoy, Director
Division of Criminal Justice

A TRUE BILL:



, Foreperson

Dated: 10/8/2003